

## UNITED STATES DISTRICT COURT

for the  
Southern District of OhioIn the Matter of the Search of  
(Briefly describe the property to be searched  
or identify the person by name and address)Case No. 2:16-mj-601INFORMATION ASSOCIATED WITH GOOGLE WAZE  
ACCOUNT REALTIME NAME: ABDULALICOO7 THAT IS  
STORED AT PREMISES CONTROLLED BY GOOGLE

## APPLICATION FOR A SEARCH WARRANT

I, a federal law enforcement officer or an attorney for the government, request a search warrant and state under penalty of perjury that I have reason to believe that on the following person or property (identify the person or describe the property to be searched and give its location):

See Attachment A

located in the Southern District of Ohio, there is now concealed (identify the person or describe the property to be seized):

See Attachment B

The basis for the search under Fed. R. Crim. P. 41(c) is (check one or more):

- ☒ evidence of a crime;
- ☒ contraband, fruits of crime, or other items illegally possessed;
- ☒ property designed for use, intended for use, or used in committing a crime;
- ☐ a person to be arrested or a person who is unlawfully restrained.

The search is related to a violation of:

Code Section	Offense Description
18 U.S.C. 2339B	Providing material support and resources to a designated foreign terrorist organization.

The application is based on these facts:

☒ Continued on the attached sheet.☐ Delayed notice of \_\_\_\_\_ days (give exact ending date if more than 30 days: \_\_\_\_\_) is requested under 18 U.S.C. § 3103a, the basis of which is set forth on the attached sheet.

T. Gregory Naples Jr.  
Applicant's signature  
T. Gregory Naples Jr. FBI Special Agent  
Printed name and title

Sworn to before me and signed in my presence.

Date: Dec. 6, 2016City and state: Columbus, OH

Elizabeth Preston Deavers  
Judge's signature  
Elizabeth Preston Deavers, U.S. Magistrate Judge  
Printed name and title

IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF OHIO  
EASTERN DIVISION

IN THE MATTER OF THE SEARCH OF  
INFORMATION ASSOCIATED WITH  
**GOOGLE WAZE ACCOUNT REALTIME  
NAME: ABDULALICOOOL7** THAT IS  
STORED AT PREMISES CONTROLLED BY  
GOOGLE

Case No.

2:16-mj-601

Filed Under Seal

**AFFIDAVIT IN SUPPORT OF  
AN APPLICATION FOR A SEARCH WARRANT**

I, T. Gregory Naples, Jr., being first duly sworn, hereby depose and state as follows:

**INTRODUCTION AND AGENT BACKGROUND**

1. I make this affidavit in support of an application for a search warrant for information associated with a certain Google account that is stored at premises controlled by Google, headquartered at 1600 Amphitheatre Parkway, Mountain View, CA 94043. The information to be searched is described in the following paragraphs and in Attachment A. This affidavit is made in support of an application for a search warrant under 18 U.S.C. §§ 2703(a), 2703(b)(1)(A) and 2703(c)(1)(A) to require Google to disclose to the government copies of the information (including the content of communications) further described in Section I of Attachment B. Upon receipt of the information described in Section I of Attachment B, government-authorized persons will review that information to locate the items described in Section II of Attachment B.

2. I am a Special Agent with the Federal Bureau of Investigation (FBI), Cincinnati Division, Columbus Resident Agency. The Affiant has been a Special Agent for 14 years and has been assigned to an International Terrorism Squad for six years and Joint Terrorism Task Forces (JTTF) for eight years in both Washington, DC and Columbus, OH. The Affiant has been

involved in the preparation and execution of numerous federal search warrants for various types of violations. During his current assignment to the JTTF, the Affiant has been a Case Agent and Co-Case Agent for multiple international terrorism investigations. While assigned to the JTTF, the Affiant has received specialized training in international terrorism. Furthermore, the Affiant has received training in computer-related crime as well as the criminal use of email, social media, encrypted messaging applications, and telephonic communications.

3. The statements contained herein are based on an investigation conducted by the Affiant and others, on his experience and training as a Special Agent on the JTTF, and on other relevant information provided to him by other FBI Special Agents and law enforcement officials. This affidavit is intended to show merely that there is sufficient probable cause for the requested warrant and does not set forth all of the Affiant's knowledge about this matter.

4. Based on my training and experience and the facts as set forth in this affidavit, there is probable cause to believe that violations of 18 U.S.C. § 2339B (providing, attempting to provide, and conspiring to provide material support to a Foreign Terrorist Organization ("FTO")) have been committed by ABDUL RAZAK ALI ARTAN (hereinafter referred to as "ARTAN"), who, according to immigration paperwork filed with the U.S. government, is a native of Somalia who left Somalia in 2007 with his family to live in Pakistan and came to the United States in 2014 as a refugee. There is also probable cause to search the information described in Attachment A for evidence of these crimes further described in Attachment B.

#### **JURISDICTION**

5. This Court has jurisdiction to issue the requested warrant because it is "a court of competent jurisdiction" as defined by 18 U.S.C. § 2711. 18 U.S.C. §§ 2703(a), (b)(1)(A), &

(c)(1)(A). Specifically, the Court is “a district court of the United States . . . that has jurisdiction over the offense being investigated.” 18 U.S.C. § 2711(3)(A)(i).

#### **BACKGROUND CONCERNING WAZE**

6. Waze Mobile Limited and its affiliates (“ Waze ” or the “Company” ) offer mapping, GPS navigation and community based services to users of [www.waze.com](http://www.waze.com) (the “ Website ”) and/or users of Waze's mobile application (the “ Application ”) (collectively referred to as the “ Services ”).

7. A Google Waze subscriber first installs the Application on a mobile device, Waze will set up an account associated with that mobile device (the “Account”). Waze will collect and use the user’s information whenever the user activates the Application on that mobile device. This use includes linking your information with the User’s Account. This is the case irrespective of whether or not you choose to create a Waze username and password in the Application.

8. In order to access certain features of the Services (for example, map editing, ranking, moods), the user will need to set up a username. Waze will link all of the user’s information with the User’s Account and that username. This includes information received from all mobile devices running the Application on which the user has chosen to sign in using your username and password;

9. The User’s Account and information associated with the Waze Account will be visible only to Waze; and when using the Application, the User’s approximate location and other information the User may choose to contribute will be visible to other users associated with that username.

10. The categories of information collected by Waze can include the following, depending on how the user chooses to use its services. Specifically, Waze may collect:
- a. detailed location and route information, for example in the form of GPS signals and other information sent by the mobile device on which the Application is installed and activated. Waze uses this location and route information to create a detailed location history of all of the journeys the user has made while using the Application; and
  - b. information about the use of the Services, e.g. “meta-data;”
  - c. information that the user chooses to share with Waze, including a username, reports associated with the username, “home” or “work”, other “favorites”, destinations the user may travel to, chat messages, search queries, calendar information;
  - d. periodically, all of the phone numbers which are stored on the user’s device’s phone book in a form which is anonymous to Waze;
  - e. the user’s phone number;
  - f. information required when setting up a username you have chosen, such as your name and gender; and
  - g. information shared from the user’s social network accounts.

**DESIGNATED FOREIGN TERRORIST ORGANIZATION**

11. On October 15, 2004, the United States Secretary of State designated al-Qa’ida in Iraq (“AQI”), then known as Jam’at al Tawhid wa’al-Jihad, as a FTO under Section 219 of the Immigration and Nationality Act and as a Specially Designated Global Terrorist under section 1(b) of Executive Order 13224.

12. On May 15, 2014, the Secretary of State amended the designation of AQI as a FTO to add the alias Islamic State of Iraq and the Levant (“ISIL”) as its primary name. The Secretary also added the following aliases to the ISIL listing: the Islamic State of Iraq and al-

Sham (“ISIS”), the Islamic State of Iraq and Syria (“ISIS”), ad-Dawla al-Islamiyya fi al-‘Iraq wa-sh-Sham, Daesh, Dawla al Islamiya, and Al-Furqan Establishment for Media Production. In an audio recording publicly released on June 29, 2014, ISIL announced a formal change of its name to Islamic State. On or about September 21, 2014, ISIL spokesperson Abu Muhammad al-Adnani called for attacks against citizens—civilian or military—of the countries participating in the United States-led coalition against ISIL. On September 21, 2015, the Secretary added the following aliases to the ISIL listing: Islamic State, ISIL, and ISIS. To date, ISIL remains a designated FTO.

### **SUBJECT ACCOUNT**

13. A review of ARTAN’s iCloud accounts revealed that July 30, 2015, ARTAN downloaded Waze onto his Apple iPhone 5s.<sup>1</sup> ARTAN entered the following information for his Waze account: Realtime Name: AbdulAliCool7; Realtime First Name: Abdul; Realtime Last Name: Ali; Realtime Persistent ID: 450390362; Phone Number: 6148150162; and Email Account: [cabudi877@gmail.com](mailto:cabudi877@gmail.com).<sup>2</sup>

### **PROBABLE CAUSE**

14. On November 28, 2016, at approximately 9:42 AM, a black male subject was driving a vehicle in the area of the intersection of West 19<sup>th</sup> Avenue and College Road North on The Ohio State University campus. According to reports from the scene, the subject purposely

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<sup>1</sup> On or about December 1, 2016, this Court signed a search warrant for ARTAN’s iCloud accounts.

<sup>2</sup> The email account CABUDI877@GMAIL.COM is associated with ARTAN through his Huntington National Bank account as well as his Ohio State University student email account. In addition to providing this email address for online banking, ARTAN provided the following contact information to Huntington National Bank: Abdul Ali Artan, 353 Nationwide Blvd, Columbus, OH 43228, which, as will be further discussed below, is ARTAN’s known residential address and phone number: 614-815-0162.

struck and attempted to strike multiple pedestrians with the moving vehicle. The subject subsequently exited the vehicle and stabbed and attempted to stab numerous people with a knife. A local officer responded to the scene, encountered the subject, and fatally wounded him. A driver's license found on the person of the subject identified him as ARTAN, date of birth January 1, 1998, Ohio Driver's License #UJ847597, with an address of 353 Nationwide Boulevard, Columbus, Ohio, address associated with the aforementioned Huntington National Bank account. An Apple iPhone 5s and Dell Laptop Model P51F were also found in the vehicle with ARTAN. There were approximately fourteen (14) victims as a result of this attack.<sup>3</sup>

15. On or about November 28, 2016, the FBI conducted a search for any social media presence/activity related to ARTAN and identified the following Facebook page as belonging to him: <https://www.facebook.com/abdi.razaq.3> . The photo on the Facebook page appeared to match the photo of ARTAN from the driver's license recovered from him at the scene of the attack. At approximately 9:49AM<sup>4</sup>, which appears to be the time period just prior to the attack, ARTAN made a public Facebook post which stated in its entirety:

In the name of Allah, the most merciful and the most gracious.

(Screenshot this before it gets deleted)

My brothers and sisters, I am sick and tired of seeing my fellow Muslim brothers and sisters being killed and tortured EVERYWHERE. Seeing my fellow Muslims being tortured, raped and killed in Burma led to a boiling point. I can't take it anymore.

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<sup>3</sup> In prior affidavits, your affiant noted that there were approximately nine (9) victims. I have since learned that there were approximately fourteen (14) victims from this attack.

<sup>4</sup> In prior affidavits, your affiant noted that the time was approximately 9:30 AM to 9:45 AM. I have since learned that the time was approximately 9:49AM.

America! Stop interfering with other countries, especially the Muslim Ummah. We are not weak. We are not weak, remember that.

If you want us Muslims to stop carrying lone wolf attacks, then make peace with “dawla in al sham.” Make a pact or a treaty with them where you promise to leave them alone, you and your fellow apostate allies.

By Allah, we will not let you sleep unless you give peace to the Muslims. You will not celebrate or enjoy any holiday.

Stop the killing of the Muslims in Burma.

Btw, every single Muslim who disapproves of my actions is a sleeper cell, waiting for a signal. I am warning you Oh America!

Ano, a message to the Muslims, don't listen to celebrity scholars who sold their deen. I am talking about the likes of Yasir Qadhi, Omar Sulleman, Nouman, Mufti Menk and the list goes on. Beware of Al-Maghrib Institute. Listen instead to our hero Imam Anwar Al-Awlaki.

Let me ask you this question if the Muhammad peace and blessings upon him and his Sahaba were here today, Wouldn't the Western Media call them terrorists?

To conclude.

By Allah, I am willing to kill a billion infidels in retribution for a single DISABLED Muslim/Muslimun.

(Screenshot this before it get deleted)

16. Based on my training and experience, your Affiant understands the term “lone wolf attacks” to refer to a terrorist who commits violent acts alone, even if he/she is influenced or motivated by an ideology or a terrorist organization. Additionally, your Affiant understands



that the phrase “dawla in al sham” is another term for ISIL. Moreover, based on my training and experience, your Affiant also understands that the individual referred to as “Imam Anwar Al-Awlaki” is Anwar Al-Awlaki, the now-deceased American-born Islamic lecturer and Al Qa’ida in the Arabian Peninsula (AQAP) leader who espoused violent jihad against Westerners and encouraged the emigration of foreign fighters to countries around the world to engage in violent jihad. Based on my training and experience, your affiant is aware that many ISIL supporters watch and listen to recordings of Al-Awlaki’s calls and purported justifications for engaging in violent jihad. AQAP also publishes an English language magazine called *Inspire* that contains propaganda espousing how to conduct various terrorist attacks.

17. Based on my knowledge and experience, jihadist propaganda has long counseled followers to commit acts of violence like the one allegedly committed by ARTAN; i.e., by using vehicles and knives as weapons. For example, the Fall 2010 issue of *Inspire* Magazine, a publication by the media arm of AQAP, described such an operation. It encouraged jihadists to “use a pickup truck as a mowing machine, not to mow grass but to mow down the enemies of Allah.” More recently, the Autumn 2016 issue of *Inspire* Magazine, encouraged “lone mujahids” to commit acts of violent jihad “using a truck as done by the Lone Mujahid in the Nice operation.” Similarly, the July 2016 issue of *Dabiq*, ISIL’s initial official magazine, praised the “brother” who answered “the Islamic State’s calls to target nations participating in the Crusader coalition fighting the Caliphate” by “killing more than 80 people and injuring more than 300 others” in the Nice attacks. In September 2016, ISIL changed the name of its official magazine to *Rumiyah*. In November 2016, ISIL released *Rumiyah*, Issue 3, which has an article titled “Just Terror Tactics,” which again focuses on a vehicle attack as a primary attack weapon with a

secondary attack using a knife or gun to maximize the “kill count” and terror. Some of the highlights in the article state the following:

“Though being an essential part of modern life, very few actually comprehend the deadly and destructive capability of the motor vehicle and its capacity of reaping large numbers of casualties if used in a premeditated manner.”

“The method of such an attack is that a vehicle is plunged at a high speed into a large congregation of kuffar, smashing their bodies with the vehicle’s strong outer frame, while advancing forward – crushing their heads, torsos, and limbs under the vehicle’s wheels and chassis – and leaving behind a trail of carnage.”

“Applicable Targets: Large outdoor conventions and celebrations, Pedestrian-congested streets, Outdoor Markets, Festivals, Parades, Political Rallies”

“In a bid to ensure utmost carnage upon the enemies of Allah, it is imperative that one does not exit his vehicle during the attack. Rather, he should remain inside, driving over the already harvested kuffar, and continue crushing their remains until it becomes physically impossible to continue by vehicle. At this stage, one may exit the vehicle and finish his operation on foot, if he was able to obtain a secondary weapon.”

“Having a secondary weapon, such as a gun or a knife, is also a great way to combine a vehicle attack with other forms of attacks. Depending on what is obtained, the kill count can be maximized and the level of terror resulting from the attack can be raised. This could also increase the possibility of attaining shahadah, which is the best of departures from this Dunya into the larger expanse of the Akhirah.”

18. Moreover, during the course of the FBI's investigation into the Ohio State attack, the FBI learned that, on the afternoon of November 24, 2016, which was Thanksgiving Day, ARTAN used his debit card associated with his aforementioned Huntington National Bank account to purchase a GPS device and iPod from a store located in Columbus, Ohio. According to the GPS records, which the FBI subsequently obtained, at approximately 7:39 PM, ARTAN traveled by vehicle to Washington, D.C. with assistance of the GPS device. He arrived in Washington, D.C. at approximately 3:04 AM on November 25, 2016.

19. On November 25, 2016, at approximately 7:00 AM, video surveillance captures ARTAN purchasing various items, including a machete, at a hardware store located in Washington, D.C. ARTAN used his debit card associated with the aforementioned Huntington National Bank account to make these purchases. Approximately one and a half hours later, ARTAN returned these items, including the machete to the same hardware store. ARTAN subsequently left Washington, D.C. and drove back to Columbus, Ohio. Upon returning to Columbus, Ohio, ARTAN returned the GPS device and iPod to the same store to which he purchased the items the day before. The FBI has retrieved both the GPS device and the iPod from the store. The GPS device contained information from ARTAN's trip to Washington, D.C., while the iPOD remained sealed and did not appear to be used by ARTAN. The FBI conducted interviews of ARTAN's family members, all of whom indicated that they were unaware of ARTAN's travel to Washington, D.C.

20. Although ARTAN did not ultimately conduct an attack in Washington, D.C., based on my training and experience, your Affiant assesses, that ARTAN may have been considering such an attack. I make this assessment based, in relevant part, to the fact that, while in Washington D.C., ARTAN purchased a machete. Moreover, ARTAN drove to Washington

D.C. on Thanksgiving Day and his later Facebook post references Americans not being able to celebrate or enjoy any holiday. Finally, ARTAN did ultimately conduct an attack on November 28, 2016 using a vehicle and knife.

21. On November 29, 2016, on behalf of ISIL's media office, A'maq Agency, Twitter user "Omar Ansary" tweeted in Arabic: "A source to A'maq Agency: The executor of the American state of #Ohio attack is an Islamic State soldier who carried out the operation in response to calls to target the citizens of international coalition states."

22. Based on my experience, the behavior displayed by ARTAN during this attack and information found on his Facebook page is consistent with someone who may have been motivated or inspired by social media postings or through direct contact with others to commit acts of violence for the purpose of committing a terrorist attack on behalf of ISIL. As such, your Affiant is seeking evidence of terrorist motivations or other criminal intent as well as any evidence of a conspiracy to commit terrorist acts, potentially involving additional accomplices and other evidence of material support to an FTO.

23. On December 4, 2016, a preservation request was sent to Google to preserve all records associated with this account. As noted above, the FBI discovered the Waze application on ARTAN's iPhone 5s, which was the same device used by ARTAN to upload the aforementioned Facebook post just prior to the attack. The Waze application was last updated on ARTAN's iPhone 5s on November 22, 2016.

### **CONCLUSION**


24. As explained herein, information stored in connection with a Waze account may provide crucial evidence of the "who, what, why, when, where, and how" of the criminal conduct under investigation, thus enabling the United States to establish and prove each element or

alternatively, to exclude the innocent from further suspicion. For example, at this time, the FBI does not have all of the details regarding ARTAN's trip to Washington, D.C., such as locations he may have visited in the city, which could aid the investigation in determining if other potential locations were scouted for an attack or if ARTAN met with any coconspirators.

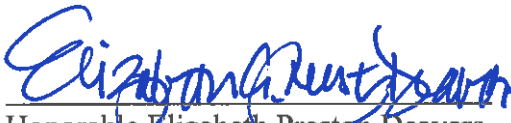
25. Based on the forgoing, I request that the Court issue the proposed search warrant. Because the warrant will be served on Google, who will then compile the requested records at a time convenient to it, reasonable cause exists to permit the execution of the requested warrant at any time in the day or night.

26. Your Affiant respectfully requests that this Court order that the government is allowed to share the information obtained from this search (to include copies of digital media) with any government agency investigating, or aiding in the investigation of, this case or related matters.

Respectfully submitted,

  
T. Gregory Naples, Jr.  
Special Agent  
FBI – Joint Terrorism Task Force

SUBSCRIBED TO AND SWORN TO  
BEFORE ME THIS 6th DAY  
OF DECEMBER, 2016

  
Honorable Elizabeth Preston Deavers  
U.S. Magistrate Judge  
Southern District of Ohio

**ATTACHMENT A**

**Property to Be Searched**

This warrant applies to information associated with **GOOGLE WAZE ACCOUNT**  
**REALTIME NAME: ABDULALICOOL7; REALTIME FIRST NAME: ABDUL;**  
**REALTIME LAST NAME ALI; REALTIME PERSISTENT ID: 450390362; PHONE**  
**NUMBER 6148150162; EMAIL: CABUDI877@GMAIL.COM** that is stored at premises  
owned, maintained, controlled, or operated by Google, a company headquartered at 1600  
Amphitheatre Parkway, Mountain View, CA 94043.

**ATTACHMENT B**

**Particular Things to be Seized**

**I. Information to be disclosed by Google (the “Provider”)**

To the extent that the information described in Attachment A is within the possession, custody, or control of the Provider, regardless of whether such information is stored, held or maintained inside or outside of the United States, and including any information that has been deleted but is still available to the Provider, or has been preserved pursuant to a request made under 18 U.S.C. § 2703(f), the Provider is required to disclose the following information to the government for each account or identifier listed in Attachment A:

- a. All records or other information regarding the identification of the account, to include full name, physical address, telephone numbers and other identifiers, records of session times and durations, the date on which the account was created and any other usernames associated with the account, the length of service, the IP address used to register the account, log-in IP addresses associated with session times and dates, account status, alternative email addresses provided during registration, methods of connecting, log files, and means and source of payment (including any credit or bank account number);
- b. Detailed location and route information, for example in the form of GPS signals and other information sent by the mobile device on which the Application is installed and activated;
- c. Information about the use of the Services, e.g. “meta-data;”
- d. Information that the user chooses to share with Waze, including username, reports associated with the username, “home” or “work”, other “favorites”, destinations the user may travel to, chat messages, search queries, calendar information;
- e. All of the phone numbers stored on the user’s device’s phone book;
- f. Information shared from the user’s social network accounts;
- g. Any data deleted by the user; and

- h. All records pertaining to communications between the Provider and any person regarding the account, including contacts with support services and records of actions taken.

## **II. Information to be seized by the government**

All information described above in Section I that constitutes evidence of violations of 18 U.S.C. § 2339B, those violations involving ABDUL RAZAK ALI ARTAN and occurring after June of 2014, including, for each account or identifier listed on Attachment A, information pertaining to the following matters:

- (a) Providing, attempting to provide, and conspiring to provide material support to a Foreign Terrorist Organization (FTO), preparatory steps taken in furtherance of the attack and/or scheme;

- (b) Evidence indicating how and when the Waze account was accessed or used, to determine the geographic and chronological context of account access, use, and events relating to the crime under investigation and to the Waze account owner;

- (c) Evidence indicating the Waze account owner's state of mind as it relates to the crime under investigation;

- (d) The identity of any person(s) who communicated with the user ID about matters relating to the provision of material support and resources to a foreign terrorist organization, including records that help reveal their whereabouts.



**CERTIFICATE OF AUTHENTICITY OF DOMESTIC  
BUSINESS RECORDS PURSUANT TO FEDERAL RULE  
OF EVIDENCE 902(11)**

I, \_\_\_\_\_, attest, under penalties of perjury under the laws of the United States of America pursuant to 28 U.S.C. § 1746, that the information contained in this declaration is true and correct. I am employed by Google, and my official title is \_\_\_\_\_. I am a custodian of records for Google. I state that each of the records attached hereto is the original record or a true duplicate of the original record in the custody of Google, and that I am the custodian of the attached records consisting of \_\_\_\_\_ (pages/CDs/kilobytes). I further state that:

- a. all records attached to this certificate were made at or near the time of the occurrence of the matter set forth, by, or from information transmitted by, a person with knowledge of those matters;
- b. such records were kept in the ordinary course of a regularly conducted business activity of Google; and
- c. such records were made by Google as a regular practice.

I further state that this certification is intended to satisfy Rule 902(11) of the Federal Rules of Evidence.

\_\_\_\_\_  
Date

\_\_\_\_\_  
Signature